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NSC FOR ABRAMS/DORAN/MARCHESE/HARDING

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TAGS: [PREL](#) [PGOV](#) [KDEM](#) [LE](#) [SY](#)

SUBJECT: MOUSSA INITIATIVE FALTERING; SINIORA WARNS US TO  
STAY OUT

Classified By: Jeffrey Feltman, Ambassador, per 1.4 (b) and (d).

SUMMARY

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11. (C) While Moussa tried to project optimism during his press conference here this afternoon, March 14 leaders report on 12/14 that Hizballah and Nabih Berri have rejected Amr Moussa's initiative to solve Lebanon's political crisis. Berri blames the breakdown instead on inflexibility by March 14 figures. PM Siniora told the Ambassador that the sticking point for now is Hizballah/Berri revisions to the Moussa proposal for the Special Tribunal for Lebanon. The two sides also have not agreed upon how to choose the "neutral" minister in a 19-10-1 cabinet split. While Berri has asked the Ambassador to get the USG to get involved in the details, Siniora and Jumblatt have urged the opposite -- that we stay on the sidelines for now. Berri's game, they argue, is to point to high-profile U.S. shuttle diplomacy as the cause of any breakdown in the talks, to deflect attention from their own roles. On a related matter, Siniora told us that he plans to probe the Russians during his 12/15 meeting with Vladimir Putin on the idea of the UNSC establishing the Special Tribunal under Chapter VII. Berri continues to press us on trying to get March 14 to back off using the parliament for now. End summary.

MOUSSA INITIATIVE FAILS  
TO ACHIEVE BREAKTHROUGH  
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12. (C) Although Arab League Secretary General Amr Moussa's just-concluded press conference suggested that diplomatic efforts will continue, the Moussa initiative has as of 12/14 failed to bridge the gap between the March 14 majority and the March 8-Aoun forces. PM Siniora, Minister of Communications Marwan Hamadeh, MP Walid Jumblatt, and MP Saad Hariri, speaking with the Ambassador by phone, all blamed Hizballah and Nabih Berri for rejecting Moussa's idea. By contrast, Parliament Speaker Nabih Berri, who initiated a call to the Ambassador, countered that March 14 had been "too stubborn and inflexible" in rejecting proposed revisions submitted by March 8 forces.

OPPOSING VIEWS ON SCENARIO  
FOR ESTABLISHING TRIBUNAL  
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13. (C) From what we understand at this point, Moussa's multi-part initiative faltered on the element related to the Special Tribunal for Lebanon, although -- as Siniora noted -- had that issue been solved, other obstacles remain,

especially related to the selection process for the "neutral" minister in an expanded cabinet. Moussa proposed that a six-person legal commission, divided equally between March 8 and March 14 experts, would study the tribunal documents. The commission would work with the UN on any proposed changes, to make sure that UN/OLA and UNSC members were on board. After that, the commission would submit the documents directly to the parliament for ratification, without further reference to the cabinet or President. Under Moussa's initiative, the cabinet expansion to thirty ministers (divided 19-10-1) would take place more or less simultaneously with the establishment of the commission to study the tribunal documents, but the cabinet expansion and the tribunal study commission are two entirely separate tracks that, while part of a larger, comprehensive package, do not have a direct bearing on each other.

14. (C) Berri and Hizballah countered with a revision of Moussa's proposal: once the commission studying the tribunal finished its work and won UN/OLA and UNSC concurrence for any changes, the tribunal documents would return to the cabinet for a new approval process, including submission again to President Lahoud for consideration. Moreover, because the cabinet expansion would be complete by the time the commission finished its work, the March 14 majority would no longer have the two-thirds majority needed to approve the tribunal documents. In Hamadeh's view, this gives the pro-Syrians multiple opportunities to block the tribunal: by slowing or hindering the commission's work, by preventing cabinet approval, by invoking the presidential powers to complicate the issue, and then preventing the second cabinet decision needed to override Lahoud's inevitable objections. When questioned by the Ambassador about the intentions of the proposed revision, Berri claimed that the cabinet would have

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to re-approve the tribunal documents anyway, as the Siniora cabinet "doesn't legally exist and its decisions don't count."

15. (C) March 14 rejected Berri and Hizballah's proposed revisions (which Hamadeh was quick to note Moussa had never adopted as his own but passed on as ideas to consider). In Hamadeh and Jumblatt's analysis, the Berri and Hizballah revisions show clearly what most people suspected all along -- that stopping the tribunal is the immediate goal of the March 8-Aoun demonstrations. Speaking to the Ambassador on the margins of Codel Nelson's meeting with PM Siniora, Mohamed Chatah (senior advisor to Siniora) said that he had further "hints of Syrian guilt" when he was on consultations in Turkey earlier this week. The Turks, Chatah claimed, shared with him concerns about the tribunal that the Syrians had given them. The Syrians reproduced all of President Emile Lahoud's objections, with special emphasis on two points: the Syrians insisted on removing all references that could widen the tribunal's authority beyond the single case of Hariri's assassination, and the Syrians wanted to ensure that senior officials would bear no responsibility for subordinates' actions.

SINIORA, JUMBLATT URGE  
USG TO STAY ON SIDELINES  
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16. (C) Berri, both directly by phone and via his foreign policy advisor Ali Hamdan, has today asked the Ambassador insistently for USG direct involvement, to help get March 14 to be "more flexible" regarding the tribunal. Approached by the Ambassador for how the USG could play a constructive role in the immediate negotiations, both Siniora and Jumblatt said that they smelled a trap. They believe that Berri ("who after all can pick up a phone and call me directly," Siniora said) is trying to lure the Ambassador and USG more broadly into playing a shuttle-diplomacy role that would be a win-win situation for March 8 forces: if the USG succeeds in getting March 14 leaders to bend to March 8 ideas, that would be good for the pro-Syrians. But, even if March 14 stays firm in

rejecting the Hizballah-Berri revisions on the tribunal and the Moussa initiative fails definitively, then Berri and the pro-Syrians can point to all of the USG interventions to argue that the two sides were on the verge of a deal, but the USG scuttled it. This would distract people from the real story, which is Hizballah and Berri's rejection of the Moussa initiative. Stay on the sidelines for now, Jumblatt urged. "We'll let you know when you can play a constructive role," Siniora said,

USING RUSSIA TRIP  
TO PROBE ON CHAPTER VII  
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¶7. (C) Siniora also told the Ambassador that, when he is received by Russian President Putin on 12/15, he plans to discuss the tribunal. He wants to probe the Russians about having the UNSC invoke Chapter VII to establish the tribunal. If the Russians look at this idea favorably, Siniora said, then maybe "we can give Nabih what he wants" -- an avoidance of using the parliament altogether. Berri, in his conversations with us today, kept up the steady drumbeat of warnings that provoking the parliament now would lead to even greater problems.

COMMENT  
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¶8. (C) Moussa told the Lebanese that he would return early next week to try again; by refusing to admit failure, Moussa helped prevent a deeper crisis that would have been provoked by a total breakdown in talks. As for USG involvement, we see circumstantial evidence that Siniora and Jumblatt's suspicions might be well-founded: the pro-Syrian press has been running articles already claiming that the USG has been involved in heavy-handed interventions aimed at derailing the Moussa initiative and specifically its elements on a National Unity Government. In any case, with Siniora out of the country until sometime over the weekend, we expect the diplomatic channels to quiet down temporarily.  
FELTMAN